

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HERBERT L. JACOBS,	:	CONSOLIDATED UNDER
	:	MDL 875
Plaintiff,	:	
	:	
v.	:	
	:	
A-C PRODUCT LIABILITY TRUST,	:	
et al.,	:	
	:	E.D. Pa. Civil Action No.
Defendants.	:	2:09-cv-30143-ER

O R D E R

AND NOW, this **26th** day of **October, 2015**, upon further review of the facts surrounding the Motions for Summary Judgment (Judicial Estoppel) of the Thompson Hine Shipowner Defendants¹ (ECF No. 95) and Inland Steel Company (ECF No. 93), it is hereby **ORDERED** that the previous order on the motions (dated September 28, 2015) (ECF No. 157²) is hereby sua sponte **VACATED** as having been based on an erroneous recitation by the Court of the facts surrounding Plaintiff's bankruptcy petition.

It is further **ORDERED** that the motions are instead:

¹ These Defendants are: (1) Alcoa Steamship Company, Inc., (2) American Steamship Company, (3) Amersand Steamship Company, (4) Reiss Steamship Company, (5) Pickands Mather & Co., and (6) Boland & Cornelius. (ECF No. 95-1.)

² The previous order (1) denied the motion as to arguments related to judicial estoppel and (2) denied the motion without prejudice as to arguments related to the real party in interest/standing.

- (1) **DENIED** as to the arguments related to judicial estoppel; and
- (2) **DENIED** as to the arguments related to the real party in interest/standing.

It is **FURTHER ORDERED**, in accordance with the accompanying memorandum, that the Clerk of this Court shall (a) make a copy of this order and the accompanying memorandum and have said copy filed on the docket of Plaintiff's bankruptcy case in the Bankruptcy Court for the Middle District of Florida (No. 8:03-bk-09910-ALP); (b) ascertain the identity of the Chapter 13 standing trustee; and (c) have served upon the trustee a copy of said order and memorandum at his/her last known address.

AND IT IS SO ORDERED.

s/ Eduardo Robreno
EDUARDO C. ROBRENO, J.